



PRESS RELEASE

FOR IMMEDIATE RELEASE
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MESA MAN INDICTED FOR ATTEMPTING TO MAKE RICIN

PHOENIX – Casey Cutler, 25, of Mesa, Ariz., was indicted here late yesterday afternoon by a federal grand jury on a charge that he attempted to produce the biological toxin ricin. The indictment charges Cutler with one count of violating Title 18, U.S. Code, Section 175(a), for attempting to produce the biological toxin ricin for use as a weapon. Another status hearing is still set for Friday, June 10, 2005 at 11 a.m. in front of Judge Voss.

During a status hearing in federal court on Tuesday, June 7, 2005, the U.S. Attorney's Office announced that the criminal complaint, charging Cutler with possessing and/or producing ricin, might be amended based on a retest to be conducted on the samples from Cutler's home and from his person. Originally, three of the 15 samples tested positive for the presence of ricin but an audit conducted by the lab showed that an outdated test had been used. A retest completed late on Tuesday afternoon using the most current test methods revealed that none of the original 15 samples tested positive for the presence of ricin.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

A conviction for attempting to produce a biological toxin for use as a weapon carries a maximum penalty of life in prison, a \$250,000 fine or both.

The investigation preceding the complaint was conducted by the FBI and the Mesa Police Department. The prosecution is being handled by Joseph C. Welty, Assistant U.S. Attorney, District of Arizona, Phoenix.

CASE NUMBER: CR-05-0550-PHX
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